

#8

DEP & REF RM 307



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

ASSERTION OF SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.27(c) and
REQUEST FOR REFUND UNDER 37 C.F.R. § 1.28(a).

Dear Sir:

The respective Applicants, and Patentees declare that small entity status is entitled to be asserted in the following applications and patent:

<u>Serial/Patent No:</u>	<u>Attorney Docket No:</u>
1. 29/123,227	RTI-D1
2. 09/962,924	RTI-113R
3. 09/154,400	TB-110IA
4. 09/191,232	RTI-111
5. 09/711,670	RTI-101IA
6. 60/328,283	RTI-137P3
7. 10/013,328	RTI-118IC
8. 09/905,683	TB-104IACA
9. 09/941,154	RTI-112RIA
10. 09/924,110	RTI-118IB
11. 09/898,913	RTI-136
12. 09/191,232	RTI-111
13. 5,814,084	TB-100

Fees were paid by Applicants and Patentees in the foregoing applications (items 1-12) and one patent (item 13) within three months from the date of this submission. Such fees were erroneously paid as large entity status fees. Small entity status was entitled to be asserted in items 1-13 at the time of paying such fee. Therefore, it is respectfully requested that fees paid under large entity status be refunded. Attached please find a summary chart of the refund fees requested herein, which reflect the date of the filing of the fee, the reason for payment of the fee and the difference requested for a refund.

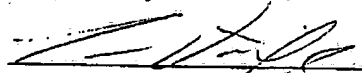
Please provide the refund via wire transfer to the following account:

Bank:	SunTrust
Account Name:	Van Dyke & Associates, P.A.
Account Number:	0710629938753
Bank/Routing Number:	063102152

To: Assistant Commissioner for Patents
Request for Refund

Should you have any questions regarding this request, please feel free to contact me.

Respectfully submitted,



Timothy H. Van Dyke, Reg. No. 43218

Attorney for Applicant

Customer No: 29847

Van Dyke & Associates, P.A.

1630 Hillcrest Street

Orlando, FL 32803

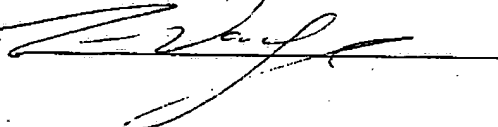
Phone: 407-228-0328; Fax: 407-228-0329

4-4-2002
Date

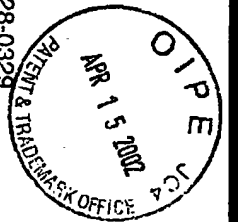
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 4-4-2002

Typed Name: Timothy H. Van Dyke

Signature: 

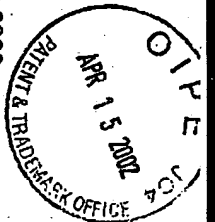
Customer No: 29847
 Van Dyke Associates, P.A.
 1630 Hillcrest Street
 Orlando, FL 32802
 Phone: 407-228-0328; Fax: 407-228-0329



Summary of Refund Fees

Serial No./ Attorney Docket No.	Date	Payment Type	Check Num	Reason(s) for Payment (Applicable to Small Entity Status)	Amount Paid to USPTO	Amount that should have been paid	Refund Due
1 Serial No.: 29/123,227; RTI-D1	01/04/2002	Check	5234	Payment of Issue Fee	\$ 460.00	\$ 230.00	\$ (230.00)
2 Serial No.: 09/962,924; RTI-113R	01/07/2002	Check	5236	Basic Filing Fee, Extra Claim Fee & Surcharge for Response to Missing Parts	\$ 1,122.00	\$ 561.00	\$ (561.00)
3 Serial No.: 09/154,400; TB-110IA	01/10/2002	Check	5243	Petition and Fee for a 3 month extension of time for Response to Office Action	\$ 920.00	\$ 460.00	\$ (460.00)
4 Serial No.: 09/191,232; RTI-111	01/10/2002	Check	5245	Petition & Fee for 3 month extension of time for Response to Office Action	\$ 1,190.00	\$ 595.00	\$ (595.00)
5 Serial No.: 09/711,670; RTI-101IA	01/11/2002	Check	5256	Petition & Fee for a 3 month extension of time for Response to Restriction Requirement	\$ 920.00	\$ 460.00	\$ (460.00)
6 Serial No.: 60/328,283; RTI-137P3	01/14/2002	Check	5258	Surcharge for Respond to Provisional Application Missing Parts	\$ 50.00	\$ 25.00	\$ (25.00)
9 Serial No.: 10/013,328; RTI-118IC	02/28/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 1,428.00	\$ 714.00	\$ (714.00)
10 Serial No.: 09/905,683; TB-104IA CA	03/11/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 2,420.00	\$ 1,210.00	\$ (1,210.00)
11 Serial No.: 09/941,154; RTI-112RIA	03/12/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 3,752.00	\$ 2,056.00	\$ (1,696.00)
12 Serial No.: 09/924,110; RTI-118IB	03/21/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 3,476.00	\$ 1,673.00	\$ (1,803.00)

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 Orlando, FL 32802
 Phone: 407-228-0328; Fax: 407-228-0329



Summary of Refund Fees

Serial N / Attorney Docket No.	Date	Payment Type	Check Num	Reason(s) for Payment (applicable to Small Entity Status)	Amount Paid to USPTO	Amount that should have been paid	Refund Due
13 Serial No.: 09/898,913; RTI-136	03/25/2002	Mastercard		Petition and Fee for a 1 month extension of time for response to Restriction Requirement	\$ 110.00	\$ 55.00	\$ (55.00)
14 Serial No.: 09/191,232; RTI-111	03/26/2002	Check	5413	Payment of Issue Fee	\$ 1,280.00	\$ 640.00	\$ (640.00)
15 Serial No.: 5,814,084; TB-100	03/26/2002	Check	5414	Payment of 3.5 year Patent Maintenance Fee	\$ 880.00	\$ 440.00	\$ (440.00)
		Total Paid			\$ 18,008.00	\$ 9,119.00	\$ (8,889.00)

OFIS

REFUND REQUESTS

REFUND

Reference ID: 09941154

Date Received: 04/19/2002 **Amount Refund:** \$1,696.00 **Date Sent:** 05/09/2002

Process Letter: N **Process Date:** **Process Type:** FORWARDED

INQ Let. Date: **Remarks:** [FWD FROM TC OTHERS TO OFFICE OF PETITION, 06/12/2002] - FURTHER CONSIDERATION

Location of Application (from PALM): PETITIONS LEGAL INSTRUMENTS EXAMINER (47L0)

Correspondence Folder Contents:

D cument Type	Entry Date	Entered By
RECEIPT ACKNOWLEDGMENT	05/09/2002	Isimsof
REFUND LETTER	04/29/2002	mgraham2

[View payment history for this serial number](#)

[View fee codes](#)

CUSTOMER

VAN DYKE, TIMOTHY

Name Line 1: VAN DYKE & ASSOCIATES, P.A.

Name Line 2:

Street Line 1: 1630 HILLCREST STREET

Street Line 2:

City: ORLANDO

State: FL

Zip Code: 32803

Phone:

Forwarded To: OFFICE OF PETITION

Print f C ntact: KAREN CREASY

C ntact Phone: 703-305-8859

Decisi n:

☐

ATTENTION ATTENTION ATTENTION

DATE PROCESSED :

PROCESSED BY: M.G.

☐

ACH PAYMENT

Attached is the most current ACH Information

☒

TREASURY CHECK

09/941,154

OI PE

The Most Current ACH Information Was

Requested From This Customer With The Purpose Of

Processing His Refund Request By Electronic Fund

Transfer(EFT). No EFT Information Was Received

Therefore, If Customer Is Due A Refund:

A CHECK WILL BE ISSUED.

☐

CREDIT TO DEPOSIT ACCOUNT

This Request for Refund Will Be Processed By Crediting

Deposit Account Number _____,

If Customer Is Due A Refund.

ATTENTION ATTENTION ATTENTION

TO: ~~Office of Petitions~~ TC
FROM: Office of Petitions
Charlema Grant CN
RE: 09/941,154
DATE: March 4, 2003

Please send out a Notice of Abandonment in response to the Notice of Missing Parts which was mailed out December 12, 2001. While petitioner responded on March 26, 2002 with a 47 petition. The petition was dismissed on June 25, 2002. Thus, petitioner could have purchased an extension of time and a renewed petition up until January 25, 2003. Petitioner has not provided a renewed 47 petition or an executed declaration thus the application is abandoned.

RAM Fee History Query

Revenue Accounting and Management

Name/Number: 09941154

Total Records Found: 6

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
03/28/2002	00000099	<u>1</u>	<u>101</u>	\$740.00	03/26/2002	OP
03/28/2002	00000100	<u>1</u>	<u>102</u>	\$1,764.00	03/26/2002	OP
03/28/2002	00000101	<u>1</u>	<u>103</u>	\$1,008.00	03/26/2002	OP
03/28/2002	00000102	<u>1</u>	<u>105</u>	\$130.00	03/26/2002	OP
03/28/2002	00000103	<u>1</u>	<u>122</u>	\$130.00	03/26/2002	OP
03/28/2002	00000104	<u>1</u>	<u>115</u>	\$110.00	03/26/2002	OP